IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 16234 of 2005(G)

OS.420/2001 of MUSNIFF COURT,ADOOR
.....

PETITIONER:

DR. K.C. JOHN, KUTTIMANNIL VEEDU,
CHANDANAPPALLI MURI, ANGODICKAL VILLAGE.

BY ADV. SRI.SAJJU.S

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY
THE DISTRICT COLLECTOR, PATHANAMTHITTA.

2. EXECUTIVE ENGINEER, P.W.D.
ROADS DIVISION, PATHANAMTHITTA.

3. ASSISTANT EXECUTIVE ENGINEER,
P.W.D. ROAD DIVISION, ADOOR.

4. ASSISTANT ENGINEER, P.W.D. ROAD
DIVISION, ADOOR.

5. TAHASILDAR, TALUK OFFICE, ADOOR.

6. SUPERINTENDENT RESURVEY OFFICE,
ADOOR.

BY ADV. SRI.SHYSON P. MANGUZHA, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 16234 OF 2005

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE IA NO.717 OF 2005 IN OS NO.420 OF 2001 OF THE MUNSIFF COURT, ADOOR.

EXT.P2 : TRUE COPY OF THE ORDER IN IA NO.717 OF 2005 IN OS NO.420 OF 2001 DT.31.3.2005 OF THE MUNSIFF COURT, ADOOR.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 16234 OF 2005

Dated this the 7th day of June, 2007

JUDGMENT

Notwithstanding the persuasive submissions of the learned counsel for the petitioner, I am unable to agree that Ext.P2 order passed by the learned Munsiff dismissing the petitioner's application for amendment of the plaint warrants correction under the supervisory jurisdiction of this Court under Article 227. When Ext.P2 passed by the learned judge guaged by the parameters to be applied by the visitorial jurisdiction under Article 227, it has to be found that the order is a well reasoned one wherein the facts have been Marshalled properly and law applied correctly. Challenge against the order will fail and the Writ Petition stands dismissed. No costs.

PIUS C. KURIAKOSE, JUDGE

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